

10045607 .050661/PJ  
208.1004US *RECEIVED* *XX*

**UNITED STATES PATENT & TRADEMARK OFFICE**

Re: Application of: Lino TAVARES, et al.

Serial No.: 10/045,607

Filed: October 23, 2001

For: **LORATADINE TRANSDERMAL DEVICE  
AND METHODS**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION**

May 2, 2002

BOX: MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application, a copy of which is enclosed, please find a check in the amount of \$1488.00 covering the basic filing fee, additional claim fees and the surcharge covering the late filing fee and oath or declaration surcharge; executed Declaration/Power of Attorney forms signed by the inventors; a substitute specification in compliance with 37 C.F.R. § 1.52 and substitute drawings in compliance with 37 C.F.R. § 1.82.

It is respectfully submitted that no new matter has been added by virtue of these amendments.

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Assistant Commissioner for Patents, Washington, DC 20231" on May 2, 2002.

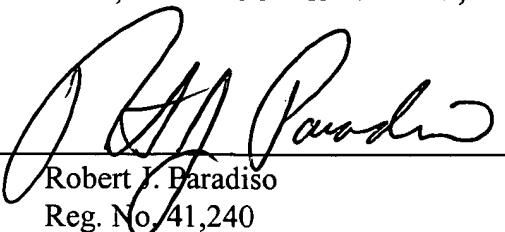
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: Benjamin J. Marco

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By



Robert J. Paradiso  
Reg. No. 41,240

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14<sup>th</sup> Floor  
New York, New York 10018  
(212) 736-1940



## UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 06 2002

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/045,607	07/23/2001	Lino Tavares	208.1004US

SEARCHED  
INDEXED  
MAILED  
TRADEMARKS

## CONFIRMATION NO. 1029

## FORMALITIES LETTER

Davidson, Davidson & Kappel, LLC  
 14th Floor  
 485 Seventh Avenue  
 New York, NY 10018

05/07/2002 HMARZI1 00000046 10045607

01 FC:101	740.00	OP
02 FC:102	168.00	OP
03 FC:103	450.00	OP
04 FC:105	130.00	OP



\*OC000000007574830\*

Date Mailed: 03/04/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$618.
  - \$450 for 25 total claims over 20.
  - \$168 for 2 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1488.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
  - Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
- Substitute drawings in compliance with 37 CFR 1.84 because:

- drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

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*A copy of this notice **MUST** be returned with the reply.*

M-NAILE

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



208.1004US

#4

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Lino TAVARES, et al.  
Serial No.: 10/045,607  
Filed: October 23, 2001  
For: **LORATADINE TRANSDERMAL DEVICE AND METHODS**  
Art Unit: 1615

**REQUEST FOR CORRECTED FILING RECEIPT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

May 2, 2002

Sir:

We have received a filing receipt for the above-identified patent application. As indicated on the enclosed copy in red ink, please make the following corrections:

“Residence Not Provided” for Lino Tavares should be changed to:

**“Residence; KINNELLON, NEW JERSEY”**

“Residence Not Provided” for Ihor Shevchuk should be changed to:

**“Residence; YONKERS, NEW YORK”**

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as “first class mail” with sufficient postage in an envelope addressed to “Assistant Commissioner for Patents, Washington, D.C. 20231” on May 2, 2002.  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
BY: Benjamin S. Moore

“Residence Not Provided” for Mark Alfonso should be changed to:

**“Residence; EASTON, CONNECTICUT”**

“Residence Not Provided” for Geraldine Marcenyac should be changed to:

**“Residence; NORWALK, CONNECTICUT”**

“Residence Not Provided” for Kirti Valia should be changed to:

**“Residence; PLAINSBORO, NEW JERSEY”**

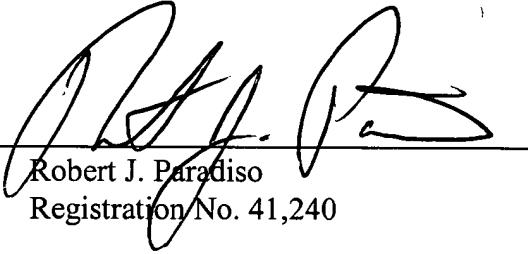
THIS APPLN CLAIMS THE BENEFIT OF 60/242,514 10/23/00 should be changed to:

**“THIS APPLN CLAIMS THE BENEFIT OF 60/242,515 10/23/00”**

Applicants respectfully request that a corrected filing receipt be issued.

Thank you for your prompt attention to this matter.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 

Robert J. Paradiso  
Registration No. 41,240

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue 14<sup>th</sup> Floor  
New York, New York, 10018  
212-736-1940



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/045,607	10/23/2001	1615	0.00	208.1004US	14	45	5

CONFIRMATION NO. 1029

## FILING RECEIPT



\*OC00000007574829\*

Davidson, Davidson & Kappel, LLC  
 14th Floor  
 485 Seventh Avenue  
 New York, NY 10018

Date Mailed: 03/04/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Lino Tavares, Residence Not Provided; KINNELLON, NEW JERSEY  
 Ihor Shevchuk, Residence Not Provided; YONKERS, NEW YORK  
 Mark Alfonso, Residence Not Provided; EASTON, CONNECTICUT  
 Geraldine Marcenyac, Residence Not Provided; NORWALK, CONNECTICUT  
 Kirti H. Valia, Residence Not Provided; PLAINSBORO, NEW JERSEY

## Domestic Priority data as claimed by applicant

5

THIS APPLN CLAIMS BENEFIT OF 60/242,514 10/23/2000 \*

(\*) Data inconsistent with PTO records.

## Foreign Applications

If Required, Foreign Filing License Granted 03/04/2002

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Loratadine transdermal device and methods

Excelon 3/11

PCMarr 3/11

(P) 3/05/02 File corrections to  
 filing receipt

(P) 3/23/02 IDS due  
 (CMD/RJP/BSD)